

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 19 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 6-2.3-3-5 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Gross
- 5 receipts do not include a wholesale sale to another generator or reseller
- 6 of utility services.
- 7 (b) A sale is a retail sale if the taxpayer sells utility services to a
- 8 buyer that subsequently makes a sale described in IC 6-2.3-4-5.
- 9 (c) **A sale of utility services is a wholesale sale if the utility**
- 10 **services are natural gas and the buyer consumes the natural gas in**
- 11 **the direct production of electricity to be sold by the buyer."**
- 12 Page 6, line 42, strike "that is not a college choice 529 education
- 13 savings" and insert "**or to any other similar**".
- 14 Page 15, delete lines 32 through 35, begin a new paragraph and
- 15 insert:
- 16 **"(b) The department and the office of management and budget**
- 17 **shall:**
- 18 **(1) develop a monthly report that summarizes the information**
- 19 **obtained by the department under section 4.1(h) of this**
- 20 **chapter, section 15.7(a)(3) of this chapter, IC 6-3.5-1.1-18(c),**
- 21 **IC 6-3.5-6-22(c), IC 6-3.5-7-18(c), and IC 6-3.5-8-22(c);**
- 22 **(2) make the monthly report available to county auditors; and**
- 23 **(3) maintain the information referred to in subdivision (1) for**
- 24 **all payments made toward a taxpayer's annual income tax**
- 25 **liability."**
- 26 Page 18, delete lines 19 through 42.
- 27 Delete pages 19 through 21.
- 28 Page 22, delete lines 1 through 18.
- 29 Page 26, between lines 38 and 39, begin a new paragraph and insert:
- 30 "SECTION 27. [EFFECTIVE UPON PASSAGE] **The amendment**
- 31 **of IC 6-2.3-3-5 by this act shall be interpreted to clarify and not to**

- 1 **change the general assembly's intent with respect to IC 6-2.5-3-5."**
- 2 Renumber all SECTIONS consecutively.
(Reference is to SB 19 as printed January 17, 2008.)

Senator KENLEY